



Docket No.: PF112U1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Alderson et al.

Application No.: 09/499,468

Group Art Unit: 1647

Filed: February 7, 2000

Examiner: R. Landsman

For: Use of Vascular Endothelial Growth Factor 2 to
Treat Photoreceptor Cells (as amended)

**NINTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorney for Applicants hereby directs the Examiner's attention to references HD-HL listed on the attached Form PTO/SB/08.

Applicants respectfully note that references HD-HL are Statutory Declarations and accompanying exhibits which were submitted by Applicants as attachments to Information Disclosure Statements filed on 1/23/02, 4/18/02, 8/16/03, and 9/12/02. Because copies of these Statutory Declarations and accompanying exhibits were previously submitted, copies are not attached hereto.

The listed references are presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 C.F.R. § 1.104(a) concerning the Examiner's duty to consider and use any such information. Applicants

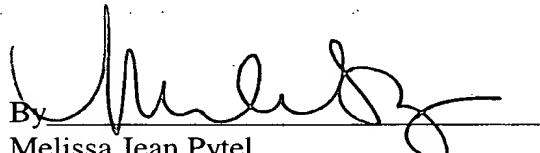
respectfully request that the Examiner make the listed references of record in the file history of the application, and consider the information contained therein during the prosecution of this application.

Identification of the listed references is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to take appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Because this Information Disclosure Statement contains references previously cited by Applicants, no fee is believed to be due. However, should the Patent & Trademark Office determine otherwise, please charge such fee to our Deposit Account No. 08-3425.

Dated: Dec 9, 2003

Respectfully submitted,


By _____

Melissa Jean Pytel

Registration No.: 41,512
HUMAN GENOME SCIENCES, INC.
9410 Key West Avenue
Rockville, Maryland 20850
(301) 610-5764

MMW/MJP/ba



PTO/SB/08a/b (06-03)
Approved for use through 07/31/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	09/499,468-Conf. #1320
<i>(Use as many sheets as necessary)</i>				Filing Date	February 7, 2000
				First Named Inventor	Ralph Alderson
				Art Unit	1647
				Examiner Name	R. Landsman
Sheet	1	of	1	Attorney Docket Number	PF112U1

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		²
	HD	Statutory Declaration of Francis John Ballard, executed on December 12, 2001 and accompanying Exhibit 1.		
	HE	Statutory Declaration of Susan Power, executed on March 22, 2002, and accompanying Appendices I to IV.		
	HF	Statutory Declaration of Nicholas Kim Hayward, executed on March 26, 2002.		
	HG	Statutory Declaration of Stuart A. Aaronson, executed on March 22, 2002, and accompanying Appendices I to III.		
	HH	Statutory Declaration of Gary Baxter Cox, executed on March 22, 2002, and accompanying Exhibit GBC-24 (which is a copy of a Statutory Declaration by Peter Adrian Walters dated October 26, 2001 together with Exhibit 1 served in opposition by Ludwig Institute for Cancer Research against Australian Patent Application 710696 in the name of Genentech, Inc.).		
	HI	Statutory Declaration of Francis John Ballard, executed on July 16, 2002.		
	HJ	Statutory Declaration of Kari Alitalo and exhibit 1, executed on July 16, 2002.		
	HK	Statutory Declaration of Peter Adrian Walton Rogers, executed on August 9, 2002.		
	HL	Statutory Declaration of Kari Alitalo and exhibits KA-1 and 2, executed on August 14, 2002.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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RETURN RECEIPT CARD
(MPEP § 503)

OIPE:	Please Date Stamp In The Box Below And Return To Addressee

In re application of: ALDERSON et al.

Application Serial No.: 09/499,468

Group Art Unit: 1633

Filed: February 7, 2000

Examiner: Sorbello, E.

Title: Vascular Endothelial Growth Factor-2

Atty. Docket No.: PF112U1

**The following documents were filed by Human Genome Sciences, Inc.
via hand delivery on January 23, 2002**

1. Postcard (1);
2. Fee Transmittal Sheet, w/appropriate fee (in duplicate);
3. Second Supplemental Information Disclosure Statement and a Statutory Declaration of Francis John Ballard, executed on December 12, 2001 and accompanying Exhibit 1.

MMW/AKR/lcc



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ALDERSON et al.

Application Serial No.: 09/499,468

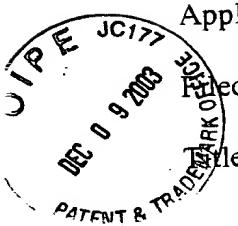
Group Art Unit: 1633

Filed: February 7, 2000

Examiner: Sorbello, E.

Title: Vascular Endothelial Growth Factor-2

Atty. Docket No.: PF112U1



SECOND SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT PURSUANT TO 37 § CFR 1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to the Statutory Declaration of Francis John Ballard, executed on December 12, 2001 and accompanying Exhibit 1.

The above-listed declaration and accompanying exhibit were brought to the attention of the Applicants in connection with an opposition to an Australian application that essentially corresponds to the U.S. priority application in this case. A copy of the above-listed Declaration and accompanying exhibit thereto, are enclosed.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed document(s) is not to be construed an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of

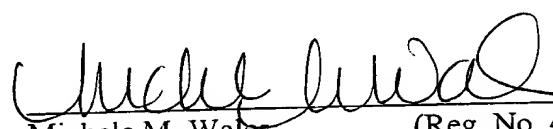
the listed document(s) should it applied as reference(s) against the claims of the subject application.

Applicants respectfully request that the Examiner acknowledge receipt of the enclosed Declaration and exhibit attached thereto, in the file of the instant application.

Pursuant to 37 C.F.R. § 1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, no fee is due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Human Genome Sciences, Inc., deposit account no. 08-3425. A Fee Transmittal is also enclosed.

Respectfully submitted,

Dated: Jan 23, 2002



Michele M. Wales (Reg. No. 43,975)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, Maryland 20850
Telephone: (301) 610-5772

Enclosures
MMW/AKR/lcc

RETURN RECEIPT CARD

(MPEP § 503)

OIPE:	Please Date Stamp In The Box Below And Return To Addressee
	

In re application of: ALDERSON et al.

Application Serial No.: 09/499,468

Group Art Unit: 1633

Filed: February 7, 2000

Examiner: Sorbello, E.

Title: Vascular Endothelial Growth Factor-2

Atty. Docket No.: PF112U1

**The following documents were filed by Human Genome Sciences, Inc.
via hand delivery on March 12, 2002**

1. Postcard (1);
2. Fee Transmittal Sheet, w/appropriate fee (in duplicate);
3. Third Supplemental Information Disclosure Statement, Form PTO/SB/08 and references FX-FY.

MMW/AKR/lcc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ALDERSON et al.

Application Serial No.: 09/499,468

Group Art Unit: 1633

Filed: February 7, 2000

Examiner: Sorbello, E.

Title: Vascular Endothelial Growth Factor-2

Atty. Docket No.: PF112U1



THIRD SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to references FX-FY listed on the attached form PTO/SB/08. A copy of each of references FX-FY is enclosed.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR § 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed references is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Applicants respectfully request that the Examiner review the listed reference(s) and that the reference(s) be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, no fee is due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Human Genome Sciences, Inc., deposit account no. 08-3425. A Fee Transmittal is also enclosed.

Respectfully submitted,

Dated: March 12, 2002 Michele Wales
Michele M. Wales (Reg. No. 43,975)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, Maryland 20850
Telephone: (301) 610-5772

Enclosures
MMW/AKR/lcc

Please type a plus sign (+) inside this box →

PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT					
(use as many sheets as necessary)					
Sheet	1	of	1	Attorney Docket Number	PF112U1

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		

FOREIGN PATENT DOCUMENTS					
Examiner Initials	Cite No. ¹	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office ³	Number ⁴ (if known)		
FX	EP	0476983	A1	Merck & Co., Inc.	03-25-1992

OTHER REFERENCES - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
FY		International Search Report, Application No. PCT/US01/24658 mailed on Dec. 12, 2001.			

Examiner Signature	Date Considered
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

RETURN RECEIPT CARD
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OIPE:	Please Date Stamp In The Box Below And Return To Addressee
 A circular stamp with the word "OIPE" at the top, "APR 18 2002" in the center, and "U.S. TRADES & PATENTS" around the bottom edge.	

Application of:
Alderson et al.

Docket No.: PF112U1

Application Serial No.: 09/499,468-Conf. #1320

Art Unit: 1633

Filed: February 7, 2000

Examiner: E. Sorbello

Title: Vascular Endothelial Growth Factor 2

**The following documents were filed by Human Genome Sciences, Inc.
via hand delivery on April 18, 2002:**

1. Return Receipt Postcard;
2. Fee Transmittal (in duplicate); and
3. Fourth Supplemental Information Disclosure Statement, including copies of: (a) Statutory Declaration of Susan Power, executed on March 22, 2002, and accompanying Appendices I to IV; (b) Statutory Declaration of Nicholas Kim Hayward, executed on March 26, 2002; (c) Statutory Declaration of Stuart A. Aaronson, executed on March 22, 2002, and accompanying Appendices I to III; and (d) Statutory Declaration of Gary Baxter Cox, executed on March 22, 2002, and accompanying Exhibit GBC-24 (which is a copy of a Statutory Declaration by Peter Adrian Walters dated October 26, 2001 together with Exhibit 1 served in opposition by Ludwig Institute for Cancer Research against Australian Patent Application 710696 in the name of Genentech, Inc.).

MMW/AKR/lcc - Attn: Legal Dept.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Alderson et al.

Application No.: 09/499,468

Group Art Unit: 1633

Filed: February 7, 2000

Examiner: E. Sorbello

Vascular Endothelial Growth Factor 2

**FOURTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

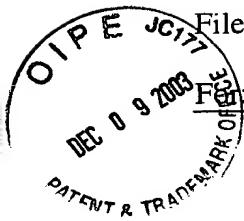
Commissioner for Patents
Washington, DC 20231

Dear Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to the Statutory Declarations and accompanying appendices and exhibits as follows:

- (a) Statutory Declaration of Susan Power, executed on March 22, 2002, and accompanying Appendices I to IV;
- (b) Statutory Declaration of Nicholas Kim Hayward, executed on March 26, 2002;
- (c) Statutory Declaration of Stuart A. Aaronson, executed on March 22, 2002, and accompanying Appendices I to III; and
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The above-listed declarations and accompanying appendices and exhibits were filed by Applicants in connection with an opposition to an Australian application that essentially corresponds to the U.S. priority application in this case. A copy



of the above-listed Declarations and accompanying appendices and exhibits thereto, are enclosed.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

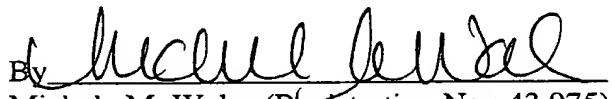
Identification of the listed reference(s) is not to be construed an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Applicants respectfully request that the Examiner acknowledge receipt of the enclosed Declarations and appendices and exhibits attached thereto, in the file of the instant application.

Pursuant to 37 C.F.R. § 1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, no fee is due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Human Genome Sciences, Inc., deposit account no. 08-3425. A Fee Transmittal is also enclosed.

Dated: April 18, 2002

Respectfully submitted,

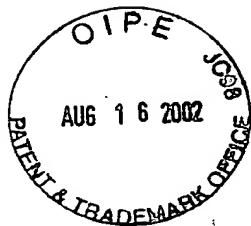
By 
Michele M. Wales (Registration No.: 43,975)
Attorneys for Applicant

HUMAN GENOME SCIENCES, INC.
9410 Key West Avenue
Rockville, MD 20850
Phone: 301-610-5772

Enclosures
MMW/AKR/lcc

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Application of:
Alderson et al.

Docket No.: PF112U1

Application Serial No.: 09/499,468-Conf. #1320

Art Unit: 1633

Filed: February 7, 2000

Examiner: E. Sorbello

Title: Vascular Endothelial Growth Factor 2

**The following documents were filed by Human Genome Sciences, Inc.
via hand delivery on August 16, 2002:**

1. Return Receipt Postcard;
2. Fee Transmittal (in duplicate); and
3. Fifth Supplemental Information Disclosure Statement, including copies of: (a) Statutory Declaration of Francis John Ballard, executed on July 16, 2002; and (b) Statutory Declaration of Kari Alitalo and exhibit 1, executed on July 16, 2002.

MMW/AKR/lcc/mlm – Attn: Legal Dept.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Alderson et al.

Docket No.: PF112U1

Application No.: 09/499,468-Conf.#1320

Group Art Unit: 1633

Filed: February 7, 2000

Examiner: E. Sorbello

For: Vascular Endothelial Growth Factor 2

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 § CFR 1.56

Commissioner for Patents
Washington, DC 20231

Dear Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to the Statutory Declarations and accompanying exhibit as follows:

- (a) Statutory Declaration of Francis John Ballard, executed on July 16, 2002; and
- (b) Statutory Declaration of Kari Alitalo and exhibit 1, executed on July 16, 2002.

The above-listed declarations and accompanying exhibit were received by Applicants in connection with an opposition to an Australian application that essentially corresponds to the U.S. priority application in this case. The above-listed declarations were received within one (1) month of the filing of the instant information disclosure statement. A copy of the above-listed Declarations and accompanying exhibit thereto, are enclosed.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed reference(s) is not to be construed an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore,



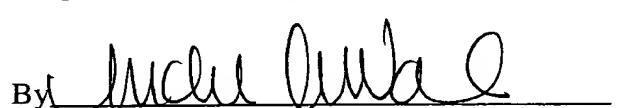
Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Applicants respectfully request that the Examiner acknowledge receipt of the enclosed Declarations and exhibit attached thereto, in the file of the instant application.

Pursuant to 37 C.F.R. § 1.97(c)(1), the Patent Office will consider this Fifth Supplemental Information Disclosure Statement if filed before the mailing date of a final Office Action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in this application and accompanied by the statement set forth in § 1.97(e)(1).

Respectfully submitted,

Dated: August 16, 2002

By 
Michele M. Wales (Registration No.: 43,975)
Attorney for Applicants

HUMAN GENOME SCIENCES, INC.
9410 Key West Avenue
Rockville, MD 20850
Phone: 301-610-5772

Enclosures
MMW/AKR/lcc

RETURN RECEIPT CARD
(MPEP § 503)

OIPE.	Please Date Stamp In The Box Below And Return To Addressee
	

Application of:
Alderson et al.

Docket No.: PF112U1

Application Serial No.: 09/499,468-Conf. #1320

Art Unit: 1633

Filed: February 7, 2000

Examiner: E. Sorbello

Title: Vascular Endothelial Growth Factor 2

**The following documents were filed by Human Genome Sciences, Inc.
via hand delivery on September 12, 2002:**

1. Return Receipt Postcard;
2. Fee Transmittal (in duplicate); and
3. Sixth Supplemental Information Disclosure Statement, including copies of:
 - (a) Statutory Declaration of Peter Adrian Walton Rogers, executed on August 9, 2002; and
 - (b) Statutory Declaration of Kari Alitalo and exhibits KA-1 and 2, executed on August 14, 2002.

MMW/AKR/lcc – Attn: Legal Dept.

Docket No.: PF112U1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Alderson et al.

Docket No.: PF112U1

Application No.: 09/499,468-Conf.#1320

Group Art Unit: 1633

Filed: February 7, 2000

Examiner: E. Sorbello

For: Vascular Endothelial Growth Factor 2



SIXTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 § CFR 1.56

Commissioner for Patents
Washington, DC 20231

Dear Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to the Statutory Declarations and accompanying exhibits as follows:

- (a) Statutory Declaration of Peter Adrian Walton Rogers, executed on August 9, 2002; and
- (b) Statutory Declaration of Kari Alitalo and exhibits KA-1 and 2, executed on August 14, 2002.

The above-listed declarations and accompanying exhibits were received by Applicants in connection with an opposition to an Australian application that essentially corresponds to the U.S. priority application in this case. The above-listed declarations were received within one (1) month of the filing of the instant information disclosure statement. A copy of the above-listed Declarations and accompanying exhibits thereto, are enclosed.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

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Applicants respectfully request that the Examiner acknowledge receipt of the enclosed Declarations and exhibit attached thereto, in the file of the instant application.

Pursuant to 37 C.F.R. § 1.97(c)(1), the Patent Office will consider this Information Disclosure Statement if filed before the mailing date of a final Office Action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in this application and accompanied by the statement set forth in §1.97(e)(1). However, should the Patent Office determine otherwise, please charge the required fee to Human Genome Sciences, Inc., deposit account no. 08-3425. A Fee Transmittal is also enclosed.

Respectfully submitted,

Dated: September 12, 2002

By 
Michele M. Wales (Registration No.: 43,975)
Attorney for Applicants

HUMAN GENOME SCIENCES, INC.
9410 Key West Avenue
Rockville, MD 20850
Phone: 301-610-5772

Enclosures
MMW/AKR/lcc